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## **FRESHWATER WETLANDS GENERAL PERMIT AUTHORIZATION**

### **APPLICATION CHECKLIST AND FEE TABLE**

(updated 12/12/05)

This checklist is to be used for all freshwater wetland general permits except General Permit 25 (repair or alteration of malfunctioning individual subsurface sewage disposal systems).

See special application checklist for general permit 25.

**To complete this checklist, you will need the following attachments:**

**Attachment A:** Form letter for providing certified mail notice of an application

**Attachment B:** Form for providing newspaper notice of an application

**Attachment C:** List of municipalities with swamp pink plants

**Attachment D:** List of municipalities with bog turtles

**LURP-1 Form:** Application form

**NOTE:** Please provide only one copy of each item listed below, unless the item specifically states that more copies should be provided.

**NOTE:** The person who signs the LURP-1 form as the applicant must be the owner of the site, or a person with sufficient legal authority over the site to carry out all requirements of any authorization issued. Others may assist the applicant in preparing the application, and may be identified in the application as the applicant's agent. For example, the applicant may be a person who is under contract to buy the site. However, the applicant may not be a consultant, engineer, attorney, or other person who has assisted in preparing the application but who does not have legal authority to carry out the project applied for. This person should be identified in the application as the agent.

**NOTE:** Most general permits now include authorization for transition area disturbance. If a project qualifies for the general permit, no separate transition area waiver is necessary.

**NOTE:** If any portion of this site is known or suspected of having any contamination the applicant shall provide any and all information regarding said contamination to this office with the associated permit application.

## **APPLICATION REQUIREMENTS:**

**To be deemed administratively complete, an application for a general permit authorization must include all of the following items:**

- ☐ 1. A LURP-1 application form, completed in accordance with the directions on the form;
- ☐ 2. The appropriate fee, indicated in the fee table below, paid as follows:
  - The fee shall be paid by personal check, certified check, attorney check, government purchase order, or money order;
  - For all projects except those in the Pinelands, the fee shall be made payable to **"Treasurer, State of New Jersey"**;
  - For projects in the Pinelands, the fee shall be made payable to "NJDEP-Pinelands Wetlands Program."
  - Each check, purchase order, or money order must be marked with the name of the applicant;
  - Each check, purchase order, or money order must indicate the general permit for which the application is submitted (for example, "general permit 5");
- ☐ 3. Proof that the public notice requirements at A and B below have been met. (Note: To prove that an item has been sent to a person, submit either the stamped white postal receipt you receive when you send the item by certified mail, or the signed green certified mail return receipt card.) All of the following must be submitted:
  - \_\_\_ A. Proof that the municipal clerk has been sent a copy of the entire application that was submitted to NJDEP;
  - \_\_\_ B. Proof that a completed copy of the notice letter found in Attachment A has been sent to each of the following:
    - \_\_\_ i. The municipal environmental commission (if one exists);
    - \_\_\_ ii. The municipal planning board;
    - \_\_\_ iii. The municipal construction official;
    - \_\_\_ iv. The county planning board; and
    - \_\_\_ v. One of the following sets of neighboring landowners (applicant choose one option):
      - Option 1: All owners of land within 200 feet of the boundary of the site (see N.J.A.C. 7:7A-1.4 for a definition of "site").
        - If this option is selected, the application must also include a certified list of landowners within 200 feet of the site, obtained from the municipality;
      - Option 2: All owners of land within 200 feet of the disturbance.
        - If this option is chosen, the application must also include a tax map with the location of the proposed disturbance outlined, and with an area extending 200 feet on all sides of the proposed disturbance outlined; or

Option 3: If the project is a linear development, trail, or boardwalk; and the project is more than one half mile long, proof that both of the following have been done:

- A copy of the notice in Attachment A has been sent to all owners of land within 200 feet of any proposed above ground structure (not including telephone poles, power lines or similar structures), such as an access road, treatment plant, power substation, or similar structure.
- A display advertisement has been published in the newspaper of record for the municipality in which the site is located and in a newspaper with regional circulation in the region in which the site is located. The advertisement shall be at least four column inches in size; and
  - To prove that this advertisement has been placed, the application must include a copy of the advertisement, or a copy of an affidavit from the newspaper, stating that the advertisement was published;

**Note:** If a project site is located in more than one municipality or county, the notice requirements in item 3 above must be met for each municipality and/or county in which the site is located.

- ☐ 4. A copy of a USGS quad map, with: the site clearly outlined (USGS quad maps can be obtained from the Department's Office of Maps and Publications – (609) 777-1038); and State Plane coordinates for a point at the approximate center of the site. The accuracy of the State plane coordinate shall be within 50 feet of the actual center point of the site. Please use nad 1983. For assistance in determining the State plane coordinates for a site, contact the Department's Geographic Information (GIS) Office at (609) 777-0672.

**Note:** For a linear development, the State plane coordinates shall include the coordinates for the end point of the development and the coordinates for points located at 1,000 foot intervals along the entire length of the development.

- ☐ 5. An up to date county road map or local street map, with the site clearly indicated;

- ☐ 6. At least four original color photographs, mounted on 8½ by 11 inch paper, showing the portion of the site that will be disturbed by the proposed general permit activities;

- ☐ 7. A compliance statement that includes all of the following:

- \_\_\_ A. A description of the project and all proposed regulated activities;
- \_\_\_ B. A list of all of the limits and requirements in the general permit which apply to the proposed activities. The general permits are listed in the freshwater wetlands rules at N.J.A.C. 7:7A-5.1 through 5.27;
- \_\_\_ C. A list of all of the limits and requirements in the freshwater wetlands rules at N.J.A.C. 7:7A-4.3 (Conditions that apply to all general permits) that apply to the proposed activities; and
- \_\_\_ D. An explanation of how the proposed activities comply with each limit or requirement listed under items B and C above;
- \_\_\_ E. For General Permit 11 please submit stormwater calculations.

- ☐ 8. The following information on the location of wetlands on the site:
- ☐ A. A letter of interpretation (LOI) if one has been issued for the site under N.J.A.C. 7:7A-3;
  - ☐ B. If no LOI has been issued, and the site is larger than one acre, the application must include a delineation of the boundaries of all wetlands, transition areas, and State open waters in the area of proposed disturbance.
    - This delineation shall be drawn onto the site plan required in item 9 below. A formal delineation report is not required. However, the application must include the data sheets used by the delineator to record the information on soils and vegetation which formed the basis for the delineation;
  - ☐ C. If no LOI has been issued, and the site is one acre or smaller, no delineation or other information under item 8 is required;
- ☐ 9. Five folded copies of a survey or site plan, signed and sealed by a licensed surveyor, showing the entire site and indicating the following:
- ☐ A. All existing structures in the area that will be disturbed by the proposed activities;
  - ☐ B. All proposed structures, disturbances, and activities. A proposed project must be shown. In accordance with N.J.A.C. 7:7A-4.3(b)1, the Department shall not authorize activities under a general permit for the purpose of eliminating a natural resource in order to avoid regulation;
  - ☐ C. If a delineation of wetlands, transition areas, and State open waters is required under item 8 above, this delineation must be drawn on the survey or site plan;
- ☐ 10. A copy of all past Department approvals for activities on the site;
- ☐ 11. If the application is for authorization for regulated activities in a transition area, a copy of the deed and/or other relevant documents pertaining to the site, showing and/or describing property boundaries, ownership, easements, restrictions, previous approvals by any local, federal, interstate or state agency, and any other information relating to the site that will assist the Department in assessing compliance with the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A;
- ☐ 12. If the site is located in a municipality with the endangered plant known as swamp pink (*Helonias Bullata*) (these municipalities are listed in Attachment C), the application must also include a signed statement from the applicant, certifying that the proposed activities will not result in any direct or indirect adverse impacts to swamp pink or its documented habitat;
- ☐ 13. If the site is located in a municipality with the endangered bog turtle (these municipalities are listed in Attachment D), the application must also include a signed statement from the applicant, certifying that the proposed activities will not result in any direct or indirect adverse impacts to bog turtles or to their documented habitat;

- ☐ 14. If the application is for authorization under general permit 1 (N.J.A.C. 7:7A-5.1) to perform ongoing maintenance of an off-stream stormwater management facility created in uplands, the application must also include a copy of the permit, if any, authorizing the original construction of the stormwater management facility. (Note the special review procedures for this activity in the freshwater wetlands rules at N.J.A.C. 7:7A-5.1(d));
- ☐ 15. If the application is for a combined flood hazard area permit and general permit authorization for general permit 2, 10A, 11, or 20 (for underground utility lines, minor road crossings, outfalls and intakes, or bank stabilization, respectively), the application must also include any information required by the Flood Hazard Area Control Act rules (N.J.A.C. 7:13) for an application to pursue the proposed activities;
- ☐ 16. If the application is for a combined general permit 26 authorization and flood hazard area permit under N.J.A.C. 7:7A-5.26A, the application must also include the information required at N.J.A.C. 7:7A-26(e), except for any information already required under items 1 through 16 above.
- ☐ 17. If the application is for a proposed project that has disturbances of  $\frac{1}{4}$  acre impervious surface in freshwater wetlands and/or transition area **or** if the total pervious and impervious disturbance to wetlands and/or transition is greater than an acre **or** if more than  $\frac{1}{4}$  acre of impervious surface drains to any outfall requiring a general permit 11 the applicant must submit a Stormwater Report that proves the proposed project meets the Water Quality Standards at N.J.A.C. 7:8 and a full set of construction site plans.
- ☐ 18. If the site is located in an area designated a Wild and Scenic River, or under study for such designation, the application must also include a letter from the National Park Service approving the proposed activities.
  - As of August 1, 2001, the water bodies containing designated wild and scenic river areas in New Jersey are:
    - The Maurice River and tributaries;
    - The Great Egg Harbor River and tributaries
    - Portions of the Mullica/Lower Atsion River; and
    - Portions of the Delaware River.
  - Contact the Department at the above address for more detailed information on wild and scenic rivers.

For more information on application requirements, see the Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A-10.

## APPLICATION FEES FOR A GENERAL PERMIT AUTHORIZATION

Type of general permit	Application Fee
Any general permit authorization, except: <ul style="list-style-type: none"> <li>- General permit 16 (wildlife management);</li> <li>- General permit 25 (septic repair); or</li> <li>- General permit 17 on public land.</li> </ul>	\$500.00
Authorization under general permit 16 or 25, or general permit 17 on public land	No charge
Multiple general permit authorizations for one site	\$500.00 plus \$200.00 for each additional general permit
General permit authorization extension	\$200.00
Combined general permit 2 authorization and flood hazard area permit	\$975.00
General permit 10A, 11, or 20 authorization combined with a major flood hazard area permit (as defined at N.J.A.C. 7:13)	\$4,375.00
General permit 10A, 11 or 20 combined with a minor flood hazard area permit (as defined at N.J.A.C. 7:13)	\$975.00

For more information on application fees, see the Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A-11.